

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

GPM INDUSTRIAL, INC.,
a Florida corporation,

CASE NO.:16-CV-01129

Plaintiff,
vs.

PDVSA SERVICES, INC., a Delaware
Corporation, and
BARIVEN, S.A. d/b/a BARIVEN CORP,
a foreign corporation.

Defendants.

**PLAINTIFF, GPM INDUSTRIAL, INC.'S UNOPPOSED MOTION TO CONTINUE
DISCOVERY, PRETRIAL DEADLINES, AND TRIAL**

Plaintiff, GPM INDUSTRIAL INC., by undersigned counsel, files this Unopposed Motion to Continue Discovery, Pretrial Deadlines, and Trial, and in support states as follows:

1. This case is set for trial on this Court's March 2019 docket. This extension is requested to allow the parties to attempt to settle this case and, alternatively, complete discovery and comply with pretrial deadlines in the event that settlement is not finalized. As the political situation in Venezuela is in flux, this has delayed counsel's efforts to settle this case.

2. The parties have engaged in active, in good faith, and intensive settlement discussions and have tentatively reached a settlement agreement, but are awaiting final word from Venezuela. Despite having reached a tentative agreement to resolve this case, the parties have continued to actively take discovery (indeed, a deposition was taken two weeks ago), but, again, due to the ongoing changes in personnel at various levels of the Venezuelan government, some witnesses, who are employees of Defendant, PDVSA SERVICES, Inc., have not responded to inquiries from

Defendants' counsel regarding their availability for depositions, thus delaying the scheduling of these depositions.

3. The undersigned counsel therefore respectfully requests that all pretrial deadlines be rolled over by ninety (90) days.

4. The undersigned counsel have conferred with counsel for Defendant, PDVSA SERVICES, INC., who has informed them that he does not oppose this motion.

5. This Motion is not being filed to delay these proceedings and no party will be unduly prejudiced by a grant of this Motion.

WHEREFORE, Plaintiff, GPM INDUSTRIAL INC. respectfully requests continuation of the discovery cutoff date and pretrial motions deadline and/or any other relief the Court deems just and proper.

LOCAL RULE 7.1 CERTIFICATE

The undersigned counsel hereby certifies in compliance with Local Rule 7.1 that counsel for Plaintiff has conferred with counsel for Defendant, PDVSA SERVICES, Inc. and Defendant's counsel is not opposed to the relief sought herein.

Dated this 15th day of October 2018.

Respectfully submitted,

KURZBAN KURZBAN WEINGER
TETZELI & PRATT, P.A.

Pro Hac Vice Attorney for Plaintiff

2650 SW 27th Avenue, 2d Floor

Miami, FL 33133

Tel: 305-444-0060

Fax: 305-444-3503

Email: Helena@kkwtlaw.com

By: /s/ Helena m. Tetzeli

HELENA TETZELI

Fla. Bar No. 759820

CALDWELL FLETCHER, PC

By: /s/ Caldwell Fletcher

Caldwell Fletcher
Texas SBN: 07141710
Federal ID No. 9654
3401 Allen Parkway, Suite 100
Houston, Texas 77019
Phone: (713) 284-1624
Fax: (713) 583-9883
caldwell@caldwellfletcherpc.com

**ATTORNEYS FOR PLAINTIFF
GPM INDUSTRIAL, INC.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this instrument has been forward to all known parties of record as indicated below, in accordance with the Federal Rules of Civil Procedure on this 15th day of October 2018.

Mr. Brock Akers
The Akers Firm PLLC
The Clocktower Building
3401 Allen Parkway, Ste. 101
Houston, Texas 77019
Via Email: bca@akersfirm.com

/s/ Caldwell Fletcher
Caldwell Fletcher